IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY SEVENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 23730 of 2004

Between:

1 The Coasta Teera Jateeya Rahadari Sadhana Samithi, Regn. No.

84/2002, Javvarpet, Machilipatnam, Krishna District, rep. by its

Convener, and Secretary, T. Niranjan Rao.
2 The Machilipatnam Bullion Jewellery & Diamond- Merchants

Association, Regn. No. 156/1946, Robet Sonpet, machilipatnam,

Krishna District, rep. by its President Jangala Haranatha Babu.
3 The Machilipatnam Lorry Owners Association, Regn. No. 15/93,

Robertsonpet, Machilipatnam, Krishna District, rep. by its President,

Ch. Subrahmanyam.
4 Yakkala Panduranga Rao, S/o. Venkatratnam
R/o. Robertsonpet, Machilipatnam, Krishna District.
5 Yakkala Subba Rao, S/o. Yakkala Panduranga Rao,
R/o. Robertsonpet, Machiplipatnam, Krishna District.
6 Dr. B. Dhanvantari-Acharya, S/o. Narayanacharyulu,
R/o. Jagannadhapuram, Machilipatnam, Krishna District.
7 Annes Ahmed Riza, S/o. Md. Basha,
R/o. Inakuduru, Machilipatnam, Krishna District.
8 The Machilipatnam Chemists & Druggists Association, Regn. No.

11/62, Fort road, Machilipatnam, Krishna District, rep. by its Secretary,

T. Rama Mohana Rao.
9 Maddula Pandu Ranga Rao, S/o. Veeraraghava Swamy,
Kojjillipet, Machilipatnam, Krishna District.

..... PETITIONER(S)

AND

1 The State of A.P., rep. by its Chief Secretary to Govt.,
Secretariat Buildings, Hyderabad.
2 The Principal Secretary to Government of A.P., Revenue Department,

Secretariat, Hyderabad.
3 The District Collector, Krishna, Chilakalapudi, Machilipatnam.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ of mandamus or any other appropriate writ, order or direction; i) Declaring that the action of the Respondents 1 and 2 in locating newly some district level offices of the Krishna District at Vijayawada instead of in the District Head Quarters is highly arbitrary, capricious, illegal and hit by Article 14 of the Constitution of India apart from being violative of the provisions of Sub-Section 5 of Section 3 of the A.P. Districts (Formation) Act, 1974. 2) declaring that the 3rd respondent just like his predecessors is guilty of converting the Collectorate at Machilipatnam as his Camp Office and the camp office at Vijayawada as the Collectorate and also guilty of grave dereliction of his duties and large scale misuse of power. 3) directing the respondents to shift all the district level offices to Machilipatnam from Vijayawada within such time limit as this Hon'ble court my specify. 4) directing the respondents to locate and set up hereafter any district level offices only in the district Head Quarters at Machilipatnam. 5) directing the respondents not to shift any district level offices existing at present in the district head quarters at Machilipatnam to Vijayawada or any other town or place in the district. 6) directing the 3rd respondent to hold hereafter all district level official seminars, conferences review meetings including DDRC in the Collectorate at Machilipatnam only. 7) Directing the 3rd respondent to reside only in his official residence at Machilipatnam and must be made available in the Collectorate at Machilipatnam for six full days in a week. 8) directing the respondents 1 and 2 to prescribe suitable guidelines and instructions confining and restricting the protocol formality by the 3rd respondent to specified persons, specified places and specified occassions and . 9) Allowing the Writ Petition with costs.

Counsel for the Petitioners: MR.T.DURGA PRASAD RAO

Counsel for the Respondents: GP FOR REVENUE

The Court made the following :

ORAL ORDER: (per the Hon'ble the Chief Justice)

Grievance of the petitioners is that the District Head Quarters of Krishna District is located at Machilipatnam but respondents 1 and 2 are locating some District Level Offices at Vijayawada instead of Machilipatnam thereby causing much inconvenience to the general public. Petitioners are also saying that the third respondent, just like his predecessors, is guilty of converting the Collectorate at Machiliatnam as his camp office and having a parallel camp office at Vijayawda.

We do not find anything in the averments made in the petition any violation of any statute, rules or regulations. The only provision of which reference was made by the learned counsel for the petitioners is Section 3 of the Andhra Pradesh Districts (Formation) Act, 1974. Neither the said Act nor any part thereof, enjoins upon the respondents that all District Level Offices must be located at the District Head Quarter. Where and at what place a District Level Office is to be located is the administrative convenience of the respondents 1 to 3 and where respondent No.3 should have his camp office is also according to the exigencies of the situation and administrative convenience. The subject matter of the writ petition cannot be made subject matter of judicial review. It is purely a matter of administrative convenience for which the petitioners must approach the concerned authorities.

With leave and liberty granted to the petitioners to approach the concerned authorities, the petition is dismissed.

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DEVINDER GUPTA, CJ

27-12-2004

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B.SESHASAYANA REDDY, J

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To

1 The Chief Secretary to Govt., Government of Andhra Pradesh, Secretariat Buildings, Hyderabad.
2 The Principal Secretary to Government of A.P., Revenue Department,

Secretariat, Hyderabad.
3 The District Collector, Krishna, Chilakalapudi, Machilipatnam.

4. 2 CCs to the Govt. Pleader for Revenue, High Court buildings,

Hyderabad (OUT).

5 2 CD copies.